

REMARKS

Claim Rejections—35 U.S.C. § 102

Claims 1-4 and 6-9 stand rejected under 35 USC § 102 (b) as being anticipated by US 5,405,886 to Milliren. This ground of rejection is respectfully traversed.

Independent claim 1 calls for a compound which contains tris-(hydroxyethyl)methyl ammonium cation. Milliren does not disclose, with any specificity, such a compound. Rather, Milliren discloses a generic formula that encompasses a vast number of compounds. Milliren does not classify or limit in any way the many compounds that may be encompassed by his generic formula, and in his preferred salts R₁, R₂, R₃, and R₄ each represent methyl. 6:42-48. Thus, the Examiner has not established *prima facie* anticipation of claim 1 at least because Milliren does not sufficiently describe the compound in the claim. For at least this reason, withdrawal of the rejection of claim 1 and claims dependent thereon is respectfully requested.

Under a similar analysis, it is respectfully submitted that the Examiner has not established *prima facie* anticipation of claim 9, and withdrawal of the rejection is requested.

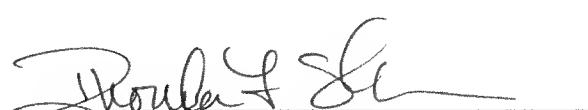
Conclusion

This is intended as a full and complete response to the Office Action dated September 18, 2008. In view of the remarks herein, the Examiner is asked to withdraw each rejection and allow the application to pass to issue.

2-12-09

Date

Respectfully submitted,



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